

## **RESPONSE**

Claims 1-44 are pending in the present application. Claims 1-44 have been cancelled without prejudice or disclaimer of the subject matter therein. New claims 45-XX have been added and are supported by the specification and the figures. No new matter has been added.

The specification has been amended to correct grammatical and typing errors. No new matter has been added. Attached hereto is a marked-up version of the changes made to the specification by the current amendment. The attached page is captioned “**Version with markings to show changes made.**”

### **Claim Rejection – Double Patenting**

Claims 1-44 were provisionally rejected under 35 U.S.C. 101 as claiming the same invention as that of claims 1-44 of copending Application No. 09/621,670. This rejection is respectfully traversed.

Claims 1-44 have been cancelled without prejudice or disclaimer of the subject matter therein. New claims 45-XX have been added and are supported by the specification and the figures.

It is respectfully asserted that the new claims overcome the nonstatutory double patent rejection and respectfully requests this rejection be withdrawn.

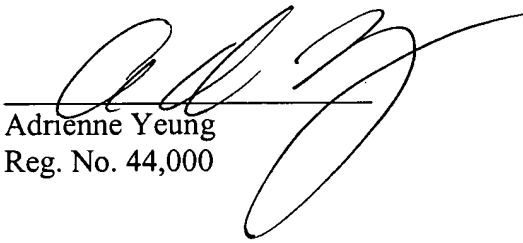
**Request for Allowance**

It is believed that this Response places the above-identified patent application into condition for allowance. Early favorable consideration of this application is earnestly solicited.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

Respectfully submitted,  
THELEN REID & PRIEST, LLP

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**Version with markings to show changes made****In The Specification:**

The paragraph beginning on page 30, line 5 has been amended as follows:

Figures 23a and 23b illustrate a fluid handling tube 300 useful in accordance with yet another embodiment of the present invention, one particular use of which will be described in greater detail below. The tube 300 includes a cylindrical sidewall 302 extending between a proximal end 306 and a distal end 304. A hollow interior 308 is delimited by the sidewall 302. The proximal end 306 preferably includes an enlarged portion 310 which assists the tube 300 in conducting fluid therethrough. At least one, and preferably numerous fluid ports 312 are formed through the sidewall 302 adjacent to the [distal] proximal end 306.

The paragraph beginning on page 35, line 6 has been amended as follows:

The first key 708 and the second flange 710 are diametrically oppositely arranged, and the ramp latches 712, 714 are also diametrically oppositely arranged. Another aspect of the present invention is that the key 708/flange 710 pair are offset along the circumferences of the cylinders 706, 716 from the ramp latches [714/714] 714/712 pair. While in the embodiment illustrated in Figs. 27a-27c, this offset is approximately the maximum 90 degrees, this angular offset can, within the scope of the present invention, be less than 90 degrees. This angular offset is useful in the present invention to restrict the relative motions of several of the elements described herein. More specifically, rotational motion of the control tip 14 and its proximal hub

700 relative to the handle 400 and the pledget pusher 500 unlocks the pusher from the control tip, and aligns the key 708 with the opening 424, and aligns the flange 710 with the slot 430, thus permitting the proximal hub 700 to be moved proximally relative to the handle 400.

The paragraph beginning on page 38, line 11 has been amended as follows:

Fig. [31] 30 illustrates an elevational view of a tube 800 having a distal inside diameter 806 equal to or larger than the outside diameter of the proximal flash tube 14. Preferably, the tube 800 is placed over the proximal flash tube 14. According to a preferred embodiment, the tube 800 is formed of a material which exhibits very high surface tension with blood, e.g., PTFE, and extends proximally of the proximal end of the flash tube 0.5 cm to 5.0 cm, and more preferably 1.5 cm to 2.5 cm. In a more preferred embodiment, the flash tube 14 has an ID ("inner diameter") of .040", the guidewire 28 (see Fig. 2) has an OD ("outer diameter") of .025", and the Teflon tube has an ID of .060".

The paragraph beginning on page 39, line 24 has been amended as follows:

Fig. 32 illustrates a cone 820 and elbow 824 having a distal inside diameter 822 as described above for diameters 806 and 812. The cone 820 includes a port 826, preferably in the area of the elbow 824, sized to permit the guidewire 28 to pass therethrough. Thus, the material of the cone 820 at the port 826 acts to restrict or eliminate the flow of blood out the port 826, causing the blood to flow out the proximal end 828 of the cone. The elbow 824 is generally tubular and extends at an angle preferably greater than about 30 deg, or may alternatively extend

in a "dog-leg" or otherwise offset fashion allowing the cone to extend laterally from the proximal end of the flash tube 14. As with the tube 800 and the cone 810, the cone 820 is formed of a material which is extremely hydrophobic and has a very high surface tension, and can act as a blood reservoir. Additionally, if the elbow port 826 is sized relative to the guidewire 28 to only partially restrict blood flow through it, the port will serve to vent "ooze" out of the cone, reducing the burden on the "reservoir". The radial offset of the cone from the guidewire, rather than the coaxial orientation discussed previously, acts to further highlight the bleed back, although it may be interpreted differently depending upon the radial alignment of the device with respect to the guidewire axis.